

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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U.S. DISTRICT COURT  
SAN JUAN, P.R.

**GLORIA GARCIA, ET ALS**

**Plaintiffs**

**CIVIL NO. 97-1313 (SEC)**



**v.**

**FRITO LAY SNACKS CARIBBEAN,  
INC., etc.**

**PLAINTIFF REQUEST TRIAL BY  
JURY**

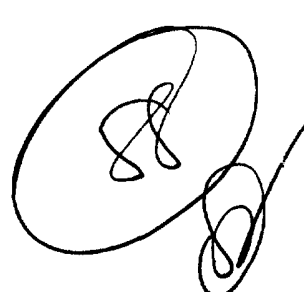
**Defendants**

**AMENDED CONSENT PROTECTIVE ORDER**




This lawsuit is presently in discovery, and it appears that such discovery may involve review of confidential files including personnel, security, and other business records and information that are confidential and proprietary. Defendant is willing to allow plaintiff's counsel to review, copy and use documents defendant considers to be confidential and/or proprietary with an appropriate protective order in place. Accordingly, good cause having ben shown within the meaning of Rule 26(c), Fed.R.Civ.P., and it appearing that the parties consent to entry of this Amended Protective Order, IT IS HEREBY ORDERED THAT:


(1) All documents and information produced herein which are designated by the parties as "confidential" (pursuant to the



listing attached hereto as Exhibit A) by stamping those documents "CONFIDENTIAL" shall be treated as such by all parties to this litigation. Such confidential documents and information, and all copies, summaries, compilations, notes or abstracts thereof, shall be used exclusively in this action. Upon conclusion of this action, all copies of confidential records shall be returned to defendant and all notes, abstracts or summaries of confidential documents and information shall be destroyed by counsel.




(2) Any document or other material, including depositions, designated as confidential under this Amended Order shall, when filed with the Court, be clearly marked "confidential", sealed, and placed in separate, secure storage by the Clerk. Such documents may be opened and reviewed only by authorized Court personnel or upon request, by counsel of record, after written or oral notice to opposing counsel.



(3) Documents and other material designated as confidential pursuant to the terms of this Amended Order may only be disclosed to the parties; to those prospective parties and witnesses who have a bona fide need to review the contents of the documents to aid in the preparation of this case for trial; and to trial counsel, and/or employees or professional assistants (including independent consultants) of trial counsel.

(4) Persons listed in paragraph 3 above, other than trial counsel and the named individual parties, shall not be afforded access to confidential information unless they first agree, by signing a statement identical to Exhibit "B" hereto, to be bound by the letter and the spirit of this Amended Order and not to disclose the confidential information to anyone other than trial counsel for the parties, except as required by lawful judicial process. Such statements shall be retained by counsel for the parties.


(5) This Amended Order shall not prevent counsel from using any documents and other material obtained and designated as confidential hereunder in this action in motions, affidavits or other pleadings or in open court, so long as such documents or pleadings containing summaries of such documents are treated as confidential pursuant to the provisions of this Amended Order.

 (6) Neither the taking of nor the failure to take any action to enforce the provisions of this Amended Protective Order, nor the failure to object to any such action or omission shall constitute a waiver of any claim or defense in the trial of this action.

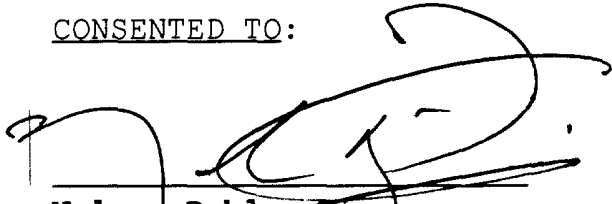
(7) This Amended Protective Order shall govern all pretrial proceedings, but shall be subject to modification upon application of a party to this lawsuit and for good cause shown.

IT IS ORDERED.

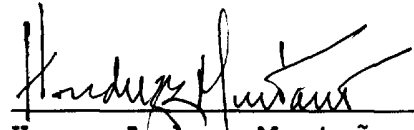
This 3<sup>rd</sup> day of December, 1999.

  
HON. SALVADOR CASELLAS  
UNITED STATES DISTRICT JUDGE

CONSENTED TO:

  
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